

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHAEL DORMAN, *et al.*,

Plaintiffs,

v.

Case No. 15-cv-12552
Hon. Matthew F. Leitman

TOWNSHIP OF CLINTON,

Defendant.

/

**ORDER DENYING MOTION (1) TO RECONSIDER RULING THAT
PUNITIVE DAMAGES ARE NOT AVAILABLE AGAINST DEFENDANT
TOWNSHIP OF CLINTON UNDER THE RELIGIOUS LAND USE AND
INSTITUTIONALIZED PERSONS ACT AND (2) TO CERTIFY ISSUE
FOR INTERLOCUTORY APPEAL**

On July 11, 2022, the Court entered an order in which it ruled that Plaintiffs may not pursue punitive damages against the Chartered Township of Clinton under the Religious Land Use and Institutionalized Persons Act (“RLUIPA”). (*See* Order, ECF No. 175.) Plaintiffs have now filed a “Motion Pursuant to 28 U.S.C. § 1292(b) to Certify for Interlocutory Appeal the Court’s July 11, 2022 ‘Order Granting Defendant’s Request to Exclude Punitive Damages’. Alternatively Motion to Reconsider July 11, 2022 Order.” (*See* Mot., ECF No. 177.) In that motion, Plaintiffs ask the Court to reconsider its ruling on punitive damages or to certify for an interlocutory appeal (under 28 U.S.C. § 1292(b)) the question of whether punitive

damages are available against the Township under RLUIPA. On January 31, 2023, the Court held an in-person hearing to consider Plaintiffs' motion.

During the hearing, the Court offered a detailed explanation for its conclusion that punitive damages are not available against Defendant Township of Clinton under RLUIPA. For those reasons, the Court declines to reconsider its ruling precluding the Township from seeking such damages.

In addition, for the reasons explained the record, the Court also declines to certify for an interlocutory appeal the question of whether Plaintiff may seek punitive damages against the Township under RLUIPA.

Plaintiffs' "Motion Pursuant to 28 U.S.C. § 1292(b) to Certify for Interlocutory Appeal the Court's July 11, 2022 'Order Granting Defendant's Request to Exclude Punitive Damages'. Alternatively Motion to Reconsider July 11, 2022 Order" (ECF No. 177) is therefore **DENIED**.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: January 31, 2023

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on January 31, 2023, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

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